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7 MERYL POMPONIO,  
8 Plaintiff,  
9 v.  
10 SAFEWAY STORES 71, INC., et al.,  
11 Defendants.

Case No. [21-cv-09508-SK](#)

**ORDER OF CONDITIONAL  
DISMISSAL**

Regarding Docket No. 26

12 Plaintiff filed a notice of settlement advising the Court that the above captioned matter has  
13 settled. In light of the settlement, the Court HEREBY ORDERS that this action is DISMISSED  
14 without prejudice; provided, however that if any party hereto shall certify to this Court within one  
15 hundred and twenty days, with proof of service, that the settlement was not consummated or that  
16 the agreed consideration for settlement has not been delivered over, the foregoing order shall stand  
17 vacated, and this case shall be restored to the calendar and set for trial. If no certification is filed,  
18 after passage of one hundred and twenty days, the dismissal shall be with prejudice.

19 **IT IS SO ORDERED.**

20 Dated: May 5, 2022

21   
22 SALLIE KIM  
23 United States Magistrate Judge  
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